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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.

ATTN: PATENT INTAKE CUSTOMER NO. 64280

ONE FINANCIAL CENTER

BOSTON, MA 02111

EXAMINER

PANNALA, SATHYANARAYA R

ART UNIT

PAPER NUMBER

2164

MAIL DATE

DELIVERY MODE

10/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/632,120

Applicant(s)

MUELLER ET AL.

Examiner

Sathyannarayan Pannala

Art Unit

2164

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.5-7, 19, 20 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1.5-7, 19, 20 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's Amendment filed on 6/18/2008 has been entered with amended claims 1 and 19 and cancelled claims 2, 8, 10-11, 18, 26, 28-29. This Office Action is made as a final and claims 1, 5-7, 19-20, 23-25 are pending.

Specification

2. The disclosure is objected to because of the following informalities: Applicant filed on 6/18/2008 an amendment to specification. This amendment is proper amendment and it will be entered.

Claim Objections

3. *Claim 2 is objected to because of the following informalities: Applicant Amendment listed as Claims 2-4 stated as cancelled. Cancelled claims must contain only status as **Cancelled**. Appropriate correction is required.*

4. Claim 19 is objected, the phrase "operable to" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1 and 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In claim 1, the amended limitation on line 7-9, claimed as "the semantic object provider comprising an interface component to create an object, an implementation object to provide persistency and an object registry". The specification does not support claiming subject matter. Similarly claim 19, claiming the same matter.

7. Claims 1, 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's amended to claim as "object registry to interact with a repository". Applicant's citation or the specification is not supporting the amended claim limitation.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specification does not support claiming subject matter. Similarly claim 19, claiming the same matter.

Claim Rejections - 35 USC § 101

10. Applicant's amendment has overcome the rejection of claims 19-20 and 23-25 under 35 U.S.C. 101. Therefore, the rejection is withdrawn.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the

examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1, 5-7, 19-20, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabbara et al. (US Patent 6,460,043) hereinafter Tabbara, and in view of Trossen et al. (USPA Pub. US 2004/0260749 A1) hereinafter Trossen.

13. As per independent claims 1, 19, Tabbara teaches method for querying data stored on a computer includes creating a dictionary of conceptual information and physical information about data (col. 3, lines 7-12). Tabbara teaches the claimed, receiving from an application a semantic request having a request name that semantically identifies a type of information sought by the request (Fig. 4c, col. 8, lines 14-18, lines 24-26 and lines 32-34). Tabbara teaches the claimed, converting the received semantic request to a generic request having corresponding request parameters (Fig. 4c, col. 8, line 64 to col. 9, line 28). Tabbara teaches the claimed, transmitting the converted request to a data access system (Fig. 3, col. 6, lines 45-48). Tabbara teaches the claimed, receiving data from the data access system corresponding to the converted request (Fig. 3, 9, col. 11, lines 29-42). Tabbara teaches the claimed, providing the data to the application (Fig. 4A, col. 7, lines 23-28). Tabbara teaches the claimed, initiating a creation of an object for receiving and converting the semantic request (Fig. 44, col. 39, lines 13-15). Tabbara teaches the claimed, opening a database connection within a data access system corresponding to the semantic request (Fig. 44, col. 39, lines 11-12). Tabbara teaches the claimed, requesting

properties of data corresponding to the semantic request, if a database connection has not previously been opened (Fig. 44, col. 40, lines 8-12). Tabbara teaches the claimed, the semantic object provider comprising an interface component to create an object, an implementation object to provide persistency, and an object registry to interact with a repository (col. 10, lines 55-56).

Finally, Tabbara does not explicitly teach semantic request with URI. However, Trossen teaches the claimed, the semantic request comprises a uniform resource identifier (Fig. 4, page 4, paragraph [0035]). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Trossen's teachings would have allowed Tabbara's method that the session initiation protocol (SIP) event server may have better (or even exclusive) access to resources that are required to implement the desired application semantic (page 1, paragraph [0007]).

14. As per dependent claim 20, Tabbara teaches the claimed, typecasting the data received from the data access system before providing the data to the application (Fig. 9, col. 11, lines 29-42).

15. As per dependent claims 5, 23, Tabbara teaches the claimed, the object is a group object configured to access information about groups of entities (Fig. 8B, col. 11, lines 1-4).

16. As per dependent claims 6, 24, Tabbara teaches the claimed, the created object requests the properties of a resource corresponding to the converted request (col. 14, lines 32-35).

17. As per dependent claims 7, 25, Tabbara teaches the claimed, the converted request comprises parameters corresponding to, but not present in, the semantic request (col. 14, lines 36-39).

Response to Arguments

18. Applicant's arguments filed on 6/18/2008 have been fully considered but they are not persuasive and details as follows:

a) Applicant's argument regarding rejection of claims 1 and 19 under 35 U.S.C. 112 first and second paragraphs stated as "Applicants submit that the specification supports the following features of claims 1 and 19."

In response to applicant argument, Examiner disagrees, because applicant is claiming different from the cited specification at Fig. 3, paragraphs [0043-50]. Therefore, the rejection is maintained.

b) Applicant's argument regarding rejection of claims 1 and 19 under 35 U.S.C. 103 stated as "Tabbara suggests or discloses the semantic object provider."

In response to applicant argument, Examiner disagrees, because Tabbara teaches the claimed, as a predicate provides the semantic context for objects and consists of one or more roles that objects play (col. 10, lines 55-56).

c) Applicant's argument regarding a prior art stated as "Omoigui does not constitute prior art to the instant application."

In response to applicant argument, Examiner disagrees, because Omoigui is a valid prior art and the CIP as well as the parent application do teach the rejected limitations. However, Examiner decided to use a new reference by Trossen to expedite the prosecution. The new reference teaches the semantic request consisting of URI.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sathyanarayan Pannala/
Primary Examiner

srp
October 14, 2008